

85-223-A

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 100-1.5a to permit an accessory structure to be located in the side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

There is a main electric transformer in this location which can't be moved.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) _____
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name) _____
Address _____ Phone No. _____
Signature _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
City and State _____ Name _____
Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 2nd day of January, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 12th day of February, 1985, at 9:30 o'clock.

Carl Jablon
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

March 4, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #176 (1984-1985)
Property Owner: Paul Marchese, et ux
N/ES Schroeder Rd. 1000' N/W Belair Rd.
Acre: 233.6 x 596.47
District: 11th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

JAM:EAM:REC:SS

cc: File

2/2
85-223-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: February 5, 1985

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

Zoning Petition Nos. 85-219-A, 85-220-A, 85-221-A, 85-223-A,
SUBJECT: 85-224-A, 85-225-A, 85-226-A, 85-227-A, and 85-230-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGB/ef

PETITION FOR VARIANCE

11th Election District

LOCATION: Northeast side of Schroeder Ave., 1000 feet Northwest of Belair Road

DATE AND TIME: Tuesday, February 12, 1985 at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.

Being the property of Paul Marchese, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 4, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Paul Marchese
3942 Schroeder Avenue
Perry Hall, Maryland 21236

RE: Item No. 176 - Case No. 85-223-A
Petitioner - Paul Marchese, et ux
Variance Petition

Dear Mr. & Mrs. Marchese:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
474-3211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

1/20/85
Re: Zoning Advisory Meeting of 1/20/85
Item # 176
Property Owner: Paul Marchese, et ux
Location: 3942 Schroeder Rd.
NW of Belair Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Planning calculations must be shown on the plan.
- ☒ This property contains soil which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-99 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 1/20/85.
- ☒ Landscaping: Must comply with Baltimore County Landscaping Manual.
- ☒ The property is located in a deficient service area as defined by Bill 115-79, no building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 170-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

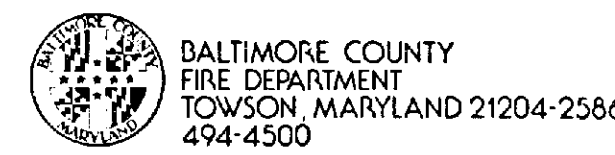
cc: James Howell

Eugene A. Bober
Chief, Current Planning and Development

2/2
85-223-A

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



PAUL H. REINCKE
CHIEF
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

January 7, 1985

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Paul Marchese, et ux

Location: NE/S Schroeder Rd. 1000' N/W Belair Road

Item No.: 176 Zoning Agenda: Meeting of 1/2/85

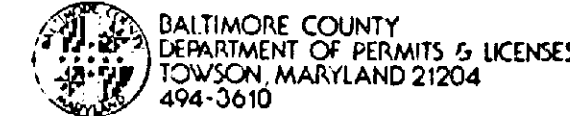
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *Paul H. Reincke* 1/7/85 Approved: *Roy W. Kemmer*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



PAUL H. REINCKE
CHIEF
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

January 11, 1985

Dear Mr. Jablon:

Comments on Item # 176 Zoning Advisory Committee Meeting are as follows:

Property Owner: Paul Marchese, et ux
Location: NE/S Schroeder Road 1000' N/W Belair Road
Existing Zoning: D-1, S-1
Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 75' for a carport.

Acres: 50 x 120
District: 12th.

The items checked below are applicable:

- (A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-85 (Baltimore County Department of Planning and Zoning and other applicable Codes).
- (B) A building/ & other _____ permit shall be required before beginning construction.
- (C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- (D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- (E) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group on an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 1102, also Section 503.2.
- (F) Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____
- (G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- (H) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- I. Comments _____

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burrows
Charles E. Burrows, Chief
Plans Review

CEB:es

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-223-A
1:20 AM

District: 12th Date of Posting: 1/25/85
Posted for: *Paul Marchese, et ux*
Petitioner: *Paul Marchese, et ux*
Location of property: *NE/S Schroeder Rd. 1000' N/W Belair Rd.*
NE/S Schroeder Rd. 1000' N/W Belair Rd.
Location of Signs: *NE/S Schroeder Rd. 1000' N/W Belair Rd.*
NE/S Schroeder Rd. 1000' N/W Belair Rd.
Remarks: *Building for 12th District*
Posted by: *Paul Marchese, et ux* Date of return: 2/4/85
Number of Signs: 1

Petition for Variance

11th Election District
LOCATION: Northeast side of
Schroeder Ave., 1000 feet Northwest of
Belair Road.

DATE & TIME: Tuesday, February
14, 1985 at 5:30 a.m.

PUBLIC HEARING: Room 106,
County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland.

The Zoning Commission of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing.

Petition for Variance to permit an
accessory structure to be located in the
side yard in lieu of the required rear
yard.

Being the property of Paul Marchese,
et ux, as shown on plat filed
with the Zoning Office.

In the event that this Petition is
granted, a building permit may be issued
within the thirty day appeal period. The Zoning
Commissioner will, however, entertain any request
for a stay of the issuance of said permit during
this period for good cause shown. Such request must be received in writing by the
date of the hearing or made at the hearing.

By Order of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md.

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of _____ successive

weeks before the _____ day of

_____ 1985

Publisher.

RE: PETITION FOR VARIANCE
NE/S of Schroeder Ave.,
1000' NW of Belair Rd.,
11th District
PAUL MARCHESE, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-223-A

ENTRY OF APPEARANCE

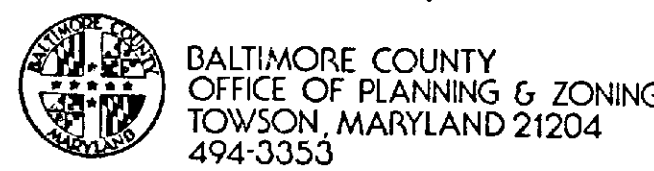
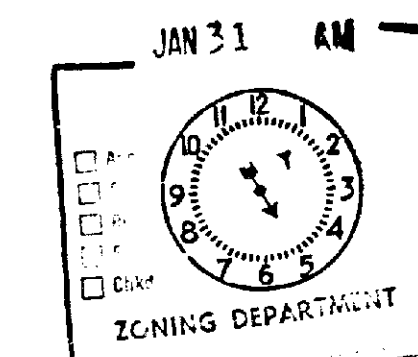
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 30th day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Paul Marchese, 3942 Schroeder Ave., Perry Hall, MD 21236, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 11, 1985

Mr. and Mrs. Paul Marchese
3942 Schroeder Avenue
Perry Hall, Maryland 21128

RE: Petition for Variance
NE/S Schroeder Avenue, 1000'
NW of Belair Road
11th Election District
Paul Marchese, et ux - Petitioners
Case No. 85-223-A (Item No. 176)

Dear Mr. and Mrs. Marchese:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,
Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMJ:boh

cc: People's Counsel

Mr. and Mrs. Paul Marchese
3942 Schroeder Avenue
Perry Hall, Maryland 21128

NOTICE OF HEARING

RE: Petition for Variance
NE/S Schroeder Ave., 1000' NW
of Belair Road
Paul Marchese, et ux - Petitioners
Case No. 85-223-A

TIME: 9:30 a.m.

DATE: Tuesday, February 12, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 003112

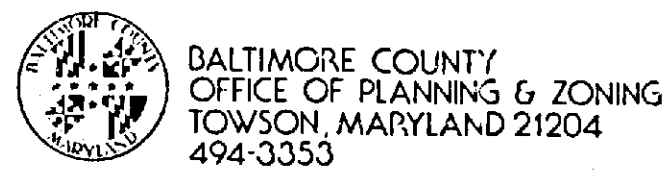
DATE: 1/25/85 ACCOUNT: 85-223-A

AMOUNT: \$ 35.00

RECEIVED FROM: Paul Marchese, et ux

FOR: 11th Election District

VALIDATION OR SIGNATURE OF CASHIER



ARNOLD JABLON
ZONING COMMISSIONER

February 4, 1985

Mr. and Mrs. Paul Marchese
3942 Schroeder Avenue
Perry Hall, Maryland 21128

RE: Petition for Variance
NE/S Schroeder Ave., 1000' NW
of Belair Road
Paul Marchese, et ux - Petitioners
Case No. 85-223-A

Dear Mr. and Mrs. Marchese:

This is to advise you that \$42.85 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 004995

DATE 2/11/85 ACCOUNT R-01-615-000

AMOUNT \$ 42.85

RECEIVED FROM Paul Marchese

FOR Advertising and Posting Case 85-223-A

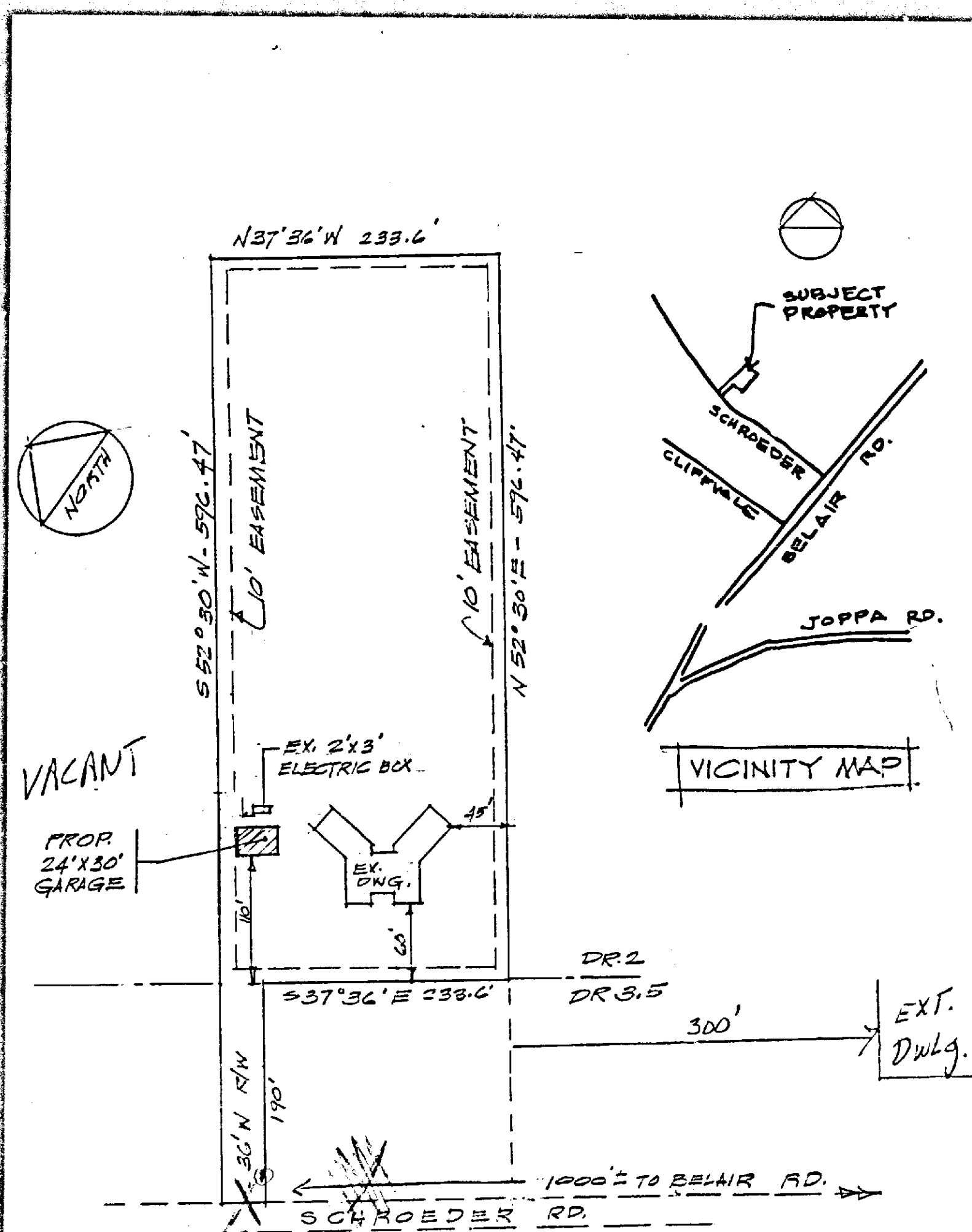
B 003*****42858 51268

VALIDATION OR SIGNATURE OF CASHIER

Sincerely,

ARNOLD JABLON
Zoning Commissioner

Located on the northeast side of Schroeder Rd. Approx. 1000' northwest of Belair Rd. and thence running N 52° 30' E 190', thence S 37° 36' E 177.6', thence N 52° 30' E 596.47', thence N 37° 36' W 233.6', thence S 52° 30' W 596.47', thence along Schroeder Rd. 36' to the place of beginning.



PLAT FOR ZONING VARIANCE
OWNER - PAUL MARCHESE
11th ELECTION DISTRICT

SCALE 1"=100'

OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PLAT PREPARED BY BALTO. CO.
OWNER DATE 12-17-84
OWNER DATE 12-17-84

PETITION FOR VARIANCE
11th Election District

LOCATION: Northeast side of Schroeder Ave., 1000 feet Northwest of Belair Road

DATE AND TIME: Tuesday, February 12, 1985 at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.

Being the property of Paul Marchese, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE
NE/S Schroeder Ave., 1000' : DEPUTY ZONING COMMISSIONER
NW of Belair Road :
11th Election District : OF
Paul Marchese, et ux - Petitioners : BALTIMORE COUNTY
No. 85-223-A (Item No. 176) :

The Petitioners herein request a variance to permit an accessory structure to be located in the side yard in lieu of the required rear yard.

Testimony by the Petitioner indicates that approximately 8 years ago the dwelling was constructed and an electric cable box was installed as shown on the plan submitted. A farm with no dwelling is situated to the north of the above referenced property and to the south is a farm with a dwelling 300 feet beyond the property line. There is an existing driveway and a 60 foot by 75 foot parking area. Approximately three years ago the Petitioners began to plan the construction of a 24 foot by 30 foot garage at the end of the parking area. To move the electric box would be unduly difficult.

There were no Protestants.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the granting of the variance requested will not adversely affect the health, safety and general welfare of the community, and, therefore, the variance should be granted. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of March, 1985, that the herein Petition for Variance

ORDER RECEIVED FOR FILING

DATE March 11, 1985

BY Ellen O. [Signature]

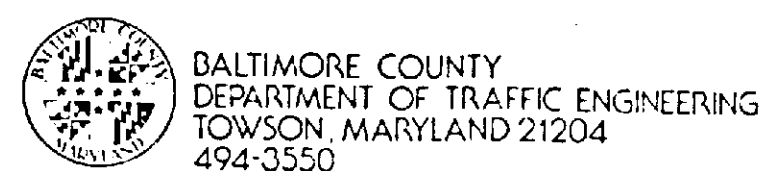
to permit an accessory structure to be located in the side yard in lieu of the required rear yard, in accordance with the site plan submitted, is GRANTED, from and after the date of this Order.

Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE March 11, 1985

BY Ellen O. [Signature]



STEPHEN E. COLLINS
DIRECTOR

February 8, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 175, 176, 177, 178, & 182. ZAC Meeting of January 2, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 175, 176, 177, 178, and 182.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/can